

HB1263/973725/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1263  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Pasteur**” and substitute “**Delegates Pasteur, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena–Melnyk, Reilly, Rosenberg, Szeliga, Taveras, and White Holland**”; in line 6, after “checks,” insert “and”; in the same line, strike “maintenance and”; in line 7, strike “documents, and assisted living program tours” and substitute “descriptions of services”; and in line 10, strike “for a certain purpose” and substitute “; requiring an assisted living referrer to comply with certain data privacy requirements on certain dates”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 20, inclusive, and substitute:

**“(7) SHALL PROVIDE TO THE CLIENT OR THE CLIENT’S REPRESENTATIVE A DESCRIPTION OF THE SERVICES THAT WILL BE PROVIDED BY THE REFERRER;**

**“(8) IF THE REFERRER HAS A FINANCIAL AGREEMENT WITH THE CLIENT OR THE CLIENT’S REPRESENTATIVE, SHALL PROVIDE THE AGREEMENT TO THE CLIENT OR THE CLIENT’S REPRESENTATIVE IN WRITING OR BY ELECTRONIC MEANS; AND”;**

strike in their entirety lines 23 through 29, inclusive; in line 30, strike the brackets; and in the same line, strike “(D)”.

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On page 3, in line 7, strike “1 YEAR” and substitute “2 YEARS”; in line 9, strike the brackets; in the same line, strike “(E)”; in line 12, strike “(F)” and substitute “(E)”; strike beginning with “AND” in line 13 down through “DATABASE” in line 14; and after line 14, insert:

**“(F) (1) ON OR BEFORE SEPTEMBER 30, 2025, AN ASSISTED LIVING REFERRER:**

**(I) SHALL KEEP A CLIENT’S OR POTENTIAL CLIENT’S MEDICAL RECORD, AS DEFINED IN § 4-301 OF THIS ARTICLE, CONFIDENTIAL AND MAY DISCLOSE THE MEDICAL RECORD ONLY FOR THE PURPOSE OF MAKING A REFERRAL IF THE CLIENT OR POTENTIAL CLIENT GIVES INFORMED WRITTEN, ELECTRONIC, OR AUDIO RECORDED CONSENT; AND**

**(II) MAY NOT SELL THE PERSONAL DATA OF A CLIENT, POTENTIAL CLIENT, OR CLIENT’S REPRESENTATIVE TO ANOTHER PERSON UNLESS THE CLIENT OR THE CLIENT’S REPRESENTATIVE GIVES INFORMED WRITTEN, ELECTRONIC, OR AUDIO RECORDED CONSENT.**

**(2) ON OR AFTER OCTOBER 1, 2025, AN ASSISTED LIVING REFERRER SHALL COMPLY WITH ALL APPLICABLE DATA PRIVACY LAWS.”.**